S.B. CIVIL WRIT PETITION NO.4410/2002
Prahalad Ram
vs
State of Rajasthan & Anr.

DATE OF ORDER:10.5.2006

HON'BLE MR.R.C. GANDHI, J.

Mr.RK Soni, for the petitioner.
Mr.OP Boob, Dy.GA, for the respondent-State

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(ORAL)

The petitioner by means of this writ petition seeks to quash the impugned termination order dated 22.10.2002 whereby the services of the petitioner have not been continued rather postponed till the adjustment of the amount of the scheme.

The respondents have formed a Literacy Committee with the object to extend literacy in the State and to reach to the people to achieve the object. Some persons have been employed as Coordinators to carry out the programme. The petitioner is one of them. The petitioner was continued till the impugned order was passed. It has been challenged on the ground by the petitioner that the respondents are not legally justified in discontinuing the services of the petitioner as he has been selected against the post of Coordinator.

The respondents in their reply have stated that petitioner was appointed as Coordinator under the scheme and due to non-avaiability of funds, the utilization of the services of the petitioner as well as other

similarly situated persons named in the impugned order have been postponed till further orders.

Heard learned counsel for the parties and perused the record.

It is admitted case of both the parties that the services of the petitioner have not been terminated. The respondents because of the paucity of funds have postponed the continuation of the services of the petitioner and other 12 persons mentioned in the impugned order.

The respondents are facing difficulty to run the scheme because of paucity of funds. The respondents are justified in postponing the services of the petitioner till the funds are available.

Learned counsel for the petitioner has submitted that a direction may be issued to the respondents that as and when the funds are available and the scheme is made operative and if the services of other persons as mentioned in the impugned order are continued, the petitioner's services may also be continued.

The plea of the learned counsel for the petitioner is innocuous and the learned counsel for the respondents has no objection for issuing such direction.

The petition is accordingly allowed directing the respondents that as and when funds are available and the scheme is made operative and in case the respondents continue the services of the other persons, who are mentioned in the impugned order, the petitioner shall also be extended the same benefit.

(R.C. Gandhi), J.

c.p.goyal/-